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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
JOSE CASTENEDA MORALES,)
a/k/a Jose Manuel Casteneda-Morales,)
a/k/a Jose Morales-Casteneda,)
a/k/a Jose Casteneda,)
Defendant.)

No. CR 12-0691 WHA

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

On October 30, 2012, the parties in this case appeared before the Court. At that time, the Court set the matter for jury trial, on December 10, 2012. The parties have agreed to exclude the period of time between October 30, 2012 and December 3, 2012 from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel and for the continuity of counsel. See 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in

STIPULATION & ~~PROPOSED~~ ORDER EXCLUDING TIME
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1 a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the hearing, the Court made findings consistent
2 with this agreement. SO STIPULATED:

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4 MELINDA HAAG
United States Attorney

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6 DATED: November 1, 2012

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/s/
J. MARK KANG
Special Assistant United States Attorney

9 DATED: November 1, 2012

/s/
EDWARD HU
Attorney for JOSE CASTENEDA MORALES

~~PROPOSED~~ ORDER

For the reasons stated above and at the October 30, 2012 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from October 30, 2012 and December 3, 2012 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: November 6, 2012.

